

MEMORANDUM FOR:

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For review and comment.

C/NIC

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## THE INTEGRITY AND OBJECTIVITY OF THE ESTIMATIVE PROCESS

1. As the President has stated, it is an important goal of the United States intelligence effort that the integrity and objectivity of the intelligence process be maintained, demanding critical differentiation between foreign intelligence and policy advocacy. This is a particularly important and sensitive goal as applied to the production of national Estimates. The estimative process can be broken down into the following steps for purposes of focusing on the maintenance of its integrity and objectivity. Such an approach facilitates highlighting areas where vulnerabilities might exist and safeguards might help--leading to an assessment of what we have done and what more might be done, especially noting where senior officers directly affect the process.

a. The Request for the Estimate. Requests for Estimates can come from any executive office, but are most often generated externally by State, DoD, or NSC. The DCI can also generate an Estimate as can the NIO himself. The NIO will often suggest that an Estimate be written where he perceives an issue looming that has not yet captured the policymakers' attention and that could have considerable impact on US interests.

-- The NIO is routinely in contact with other members of the intelligence and policy community in his area of expertise. He needs to be well aware of current US policy to anticipate both the intelligence needs that the policy might spark as well as the

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intelligence problems that might be encountered. Those contacts are a constant and common source of ideas for new estimates--a boon for policy relevance and legitimate support to the policy process, but carrying with it the danger of skewing production to topics formulated and scoped in a manner that only followed and rarely precipitated policy community concerns.

- To guard against this, two processes help. First, as noted many Estimates are generated by other than the policy community, to indicate areas where policy attention is needed, to tell the policymaker what intelligence feels he/she needs to hear, not necessarily what he wants to hear. And second, each request for an Estimate is screened by the NIO and Chairman, NIC and must be approved by the DCI. Disapproval is infrequent, but when it occurs it will normally be in the context of resources, priorities, appropriateness, and propriety, especially if it is felt to be of a limited interest or too narrow or parochial in its focus for a national level Estimate. NFIB member review of the production plan assures that the intelligence community is aware of and can advise the DCI on topics being pursued. Continuing NIC review of the list may also reveal an Estimate that no longer merits the priority it once enjoyed.

b. Preparation of Coordination of TORs. Following approval by the DCI of the proposal for an Estimate, the NIO draws up a Concept Paper and Terms of Reference (TOR), drawing on inputs from the intelligence community, which defines the scope and major themes of the Estimate.

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- Usually the office requesting the Estimate will set forth the main questions which it hopes to see answered. If the questions are purely policy in content, they are set aside. The NIC views any intelligence questions posed as legitimate and will respond to them. Answering only these questions, out of broader context, however, could give a misleading impression regarding policy implications. The NIC thus will not limit the scope of a proposed Estimate strictly to the questions and issues posed by the requestor. While all intelligence-related questions posed must be answered, they must be placed in the appropriate broader intelligence context which the NIO believes is necessary for a proper appreciation of the problem. The context is often developed and refined based on NIO interactions with other elements of the Intelligence Community. This independent yet collegial preparation of the TOR within the Intelligence Community is designed to prevent Estimates being driven by leading or narrowly focused questions from the policy side which in the answers might suggest a misleading or partial view of the overall problem.
  
- The NIO will sometimes consult with the requestor to insure that he understands the specific interests and purposes of the questions posed, and to insure that the requestor's intelligence needs are met. He will not, however, permit the requestor to keep the scope of the Estimate narrow. The NIO maintains complete independence from the policymakers in the final formulation of the TOR.

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-- A critical part of the TOR is the Key Questions. This section sets forth the few central questions--usually no more than a half dozen--which the NIO believes represents the heart of the intelligence problem. By nature they are as broadly conceived and as searching as possible. These questions are drawn up to insure that no drafter can treat an intelligence problem at great length and detail yet fail to reach the hard intelligence judgments that were sought in the TOR, or on the contrary, that a drafter can keep to generalities and not provide the basis for such judgments. They at the same time can draw drafters away from any tendency to go beyond intelligence judgments sought by the Key Questions to policy prescription that is outside their scope.

-- After the NIO prepares the TOR it is forwarded to the VC/NIC and the C/NIC for review and comment. Changes may be made to insure reasonable breadth, comprehensiveness, and focus. Upon their approval the draft TOR is sent to the Senior Review Panel (SRP) for its independent comment on the appropriate breadth, conception and focus of the paper. The SRP is made up of retired senior diplomats, military officers, and scholars and reports directly to the DCI; it is part of his staff--not part of the NIC. Other independent reviewing bodies may have an opportunity to review TOR in their area of expertise as well--for example, the DCI's Military Advisory Panel (MAP).

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- The NIO will make such changes as he believes are necessary based on SRP comments--which are not binding. The NIO is free to take issue with the SRP on one or another points, but SRP comments are usually well taken. The TOR is then sent to the DCI for approval with a cover memo indicating how SRP comments were or were not accommodated.
- The DCI may make any changes or suggestions in the TOR that he believes are necessary--usually by way of addition. Upon his approval the TOR is sent to the Intelligence Community principals preparatory to holding a community representatives meeting to coordinate the TOR.
- The Intelligence Community representatives meet to review the TOR for clarity and comprehensiveness. Once the NIO incorporates Community proposals for changes in the TOR, the revised TOR is then sent out to Community representatives as the formal coordinated TOR for the Estimate. This is a critical safeguard of the integrity of the process, since all that follows will flow from the TOR, for good or ill--our experience is the best TORs produce the best papers.

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- This process of in-house and Intelligence Community TOR review almost invariably adds to the scope, breadth and comprehensiveness of the paper. Rarely, if ever, are questions or issues dropped in the course of such review, except when deemed outside the purview of intelligence.
- The policymaker has no role whatsoever in the preparation of the TOR other than to make his request and set forth clearly the questions most keenly on his mind.

c. The Drafting Process. During the process of drafting the TOR the NIO will select a drafter from within the Community to prepare the initial draft of the Estimate. In the process of choice the NIO must negotiate with whatever office chiefs are necessary to gain the services of the drafter. The drafter thereafter then reports to the NIO on the Estimate and must be responsive to him in an attempt to assure independence and objectivity--as well as efficiency.

- The drafting process, however, is often not as entirely independent of the drafter's home base from within the Intelligence Community bureaucracy as it might be. The drafter--whatever his parent organization--will usually submit his draft for review at least to his own immediate superior and possibly higher reviewing officials before the draft goes to the NIO. This is not always the case, but usually the drafting office can have greater influence over the initial draft than is entirely appropriate.

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- This is not to say that the reviewing process by the drafter's parent organization cannot contribute in terms of clarity, style and accuracy, but it also can affect the position taken by the drafter. In the real world, however, any drafter will be in part influenced by his own bureaucratic culture whether he undergoes his own in-house review or not.
- To help guard against the potential pitfalls just noted, the initial internal NIO look should come very early--indeed in parallel vice series with the home office to help assure the paper is meeting the intent of the TOR. Once submitted to the NIO, even though the parent office may still suggest changes along with the rest of the Community, the draft becomes the property of the NIO.
- The NIO will review the draft closely and critically. He has license to make any changes whatsoever he feels are necessary in the interest of clarity, style, length, comprehensiveness, focus, sharpness of judgment, accuracy of judgment, and depth of judgment. Initial drafts submitted to the NIO often require extensive work to insure that they are terse and estimative in character; initial drafts frequently suffer from excessive length and unwillingness to reach hard judgments. The NIO's own changes made in the draft reflect a balance of his own best judgment and an awareness that he will have to coordinate the text through the Community.

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- Once the NIO believes the draft is in good shape he submits it to the VC/NIC or C/NIC for further review and comment. VC/NIC and C/NIC will review the draft with an eye to much the same qualities as did the NIO, i.e. are the KQs fully answered, is the paper editorially and stylistically appropriate, and does the paper attempt to deal with the hard judgments required, and are these judgments reasonably supported by or projected from the evidence?
- Following C/NIC's approval, the draft will go to the SRP for independent review and comment. The SRP comments are sent back to the drafter who will accommodate as much of the SRP suggestions as he believes are valuable. In most cases, SRP suggestions for change and improvement are incorporated.
- The revised draft is then sent to the DCI for review with a cover memo indicating how the SRP comments were accommodated. The DCI will review the paper with much the same criterion as the SRP and VC/C/NIC. The DCI will often request sharpening of judgments, review of certain judgments, and additional language in action areas. Upon his ultimate approval the paper is sent to NFIB principals for distribution to representatives.
- At no point during the drafting process is the review shown to or discussed with the policy community, and the policy community has no impact whatsoever in the drafting process.

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d. Draft Coordination. The role of the NIO at the coordination meeting is a crucial one. He is responsible to the DCI to produce the best possible estimate he can along the lines agreed upon in the TOR. The Estimate must reflect the best Community consensus but must also not be allowed to deteriorate down into the "lowest common denominator" view. It must reflect important alternative views while avoiding the pitfalls of becoming a Christmas tree of endless possibilities that destroy clarity of the judgment call. The NIO cannot simply be an "honest broker" among contending parties; his role involves a greater degree of leadership--more akin to that of judge who must ultimately arbitrate conflicts of view and serve as catalyst to ensure judgments are considered and far-reaching. The NIO's role at coordination can be open to changes of "politicization" when in the end he must make hard judgments while allowing for reflection of significant divergency of opinion. It involves a great many judgment calls that call for a more complex role than that of merely an impartial arbiter.

e. Final DCI Review. The DCI reviews the Estimate following community coordination prior to sending it to NFIB principals. This role is much more sensitive since he is then making judgment on the quality and appropriateness of a text already blessed by the community representatives. The DCI can and sometimes does seek substantive improvement in the text, especially where the coordination process has served to excessively water down judgments, or where Key Judgments have been worked to the point that they diverge from the text. While this can generate charges of politicization, there is a mechanism to adjudicate any concerns that arise.

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Time permitting, such proposed changes are then brokered again between the NIO and community representatives when they are routine. If major, or late breakers, or if the members balk at the proposed changes, such changes can be and are elevated and adjudicated among the principals at NFIB.

f. Final In-House Review Among Intelligence Community Agencies.

Following the DCI's approval of the text for distribution to NFIB principals, most participating agencies will submit the Estimate to further in-house review. While necessary, certain problems can arise in the course of this process.

-- NIOs on occasion feel that some Community representatives are not sufficiently empowered to fully represent their Agency and their principal at coordination meetings. A commitment by a representative at the coordination meeting may, therefore, be of limited value if it can be overturned later, or worst, if the representative declines to commit himself and "takes a reserve." Such a reserve opens the process to continuing debate and negotiation.

-- Those Community intelligence agencies that are attached to Departments with policymaking responsibility face the complication of the potential for informal review and attempted influence from the policy side of those organizations, generating further debate and negotiation.

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-- For whatever reason, we find that even after coordination, some representatives report back to the NIO that new changes are being sought by their Agencies. This part of the process is also vulnerable to charges of politicization. The mechanism to adjudicate these concerns is the same as that which applies to late changes interjected by the DCI.

g. NFIB. NFIB represents the ultimate point of adjudication. The principals are free to propose changes in the work of the Community representatives. It falls to the DCI to adjudicate disagreements at NFIB including acceptance of footnotes or alternative language, or the right to remand the Estimate for further work in selected areas. Finally, it is the DCI that approves the document. Because of the high level of review, the NFIB process is also potentially subject to charges of "politicization." But that process is ultimately the best deterrent and ultimately defense against any high-level pressures from the policy side to shape intelligence to fit policy preferences.

h. The Dilemma of Senior Level Review. Senior review of draft Estimates by the DCI, DDCI, NFIB principals, C/NIC, VC/NIC, and the NIO can involve some gray areas. These individuals in particular are closer to the policy process than are the intelligence analysts who draft the Estimates and bring a different outlook to the intelligence process. Differing senses of international realities can often, even mistakenly, be identified as representing "politicization" of the process. The benefit of senior level

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critique of draft Estimates is that it often brings to bear a broader conceptual view of the nature of the international order and the character of international conflict. These views inevitably have direct impact on their assessment of the likelihood of certain kind of events taking place or not taking place. It is important for all of these individuals to distinguish between 1) legitimate critique of a narrow, ill-formed or naive conception of politics or the international order--which can lead to lack of perception in draft Estimates--and 2) the advocacy of preferred political views on how to deal with the nature of the international conflict. In short, the higher the level of generalization about how certain situations will evolve, the more one's own unspoken philosophical sense of how the world works is involved. Searching senior critiques of community estimative views need not represent "politicization" of the process.

i. In summary, the estimative process does contain potential pitfalls for the maintenance of its objectivity and integrity, but it also contains many safeguards. These safeguards, when consistently applied by the key players in the process, especially the NIOs and the NFIB Principals, can serve to maintain the objectivity and integrity we seek. And without such conscientious application, no attempts to strengthen the safeguards can improve our ability to guard against subversion of the process. We believe that today's personnel, using today's procedures, are accomplishing what the President seeks in the process.

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